

REMARKS/ARGUMENTS

In view of the amendments and remarks herein, favorable reconsideration and allowance of this application are respectfully requested. By this Amendment, independent claims 1, 8, 15, 22 and 27 have been amended. Claims 1-28 are pending for further examination.

Claims 1-14 and 22-28 remain rejected under 35 USC 102(b) as being anticipated by Gardner. In addition, claims 15-21 remain rejected under 35 USC 103(a) as being obvious over Gardner in view of Shane. For at least the following reasons, Applicant respectfully submits that the amended claims herein are not anticipated or rendered obvious by the cited prior art. Thus, reconsideration and withdrawal of the rejections are respectfully requested.

Applicant has amended the claims herein in order to make clear that the invention relates to an ordered series of steps as defined in the claims. Thus, the Examiner's assertion that the claims do not specify a particular order is now moot. The Examiner also asserts that the order of the steps in Gardner is flexible, and that "the order list (i.e., non-confidential attachment disclosing the items to be ordered, prepared in advance of the actual purchase order) is available to the vendor prior to the authorization step." However, this assertion is not supported by the actual disclosure of Gardner. In fact, the discussion of non-confidential attachments does not include any mention of the vendor.

Thus, as explained in the previous response, Gardner does not teach or suggest the invention defined in any of the amended claims herein. For example, Gardner fails to

teach or suggest the feature of approving a previously sent order using a real-time connection with a vendor, as specifically defined in each of the independent claims of this application. The Examiner has cited Fig. 2, step 54 and column 4, lines 32-48 in Gardner as allegedly disclosing this feature. However, as can be seen in Fig. 2, the purchase order in Gardner is sent to the vendor (step 78) only after the authorizations have been acquired (step 54). Gardner is directed to a system for simplifying the internal approval process that companies perform prior to authorizing a purchase order to be issued to a vendor. In contrast, the invention defined in the independent claims of this application, relate to sending an unapproved order to a vendor prior to confirming and authorizing the order. The order is then made available to the purchaser by the vendor through a real-time connection so that the user can approve the order.

In view of the above, Gardner fails to teach or suggest each and every element in any of the independent claims in this application, as required for anticipation under Section 102. Moreover, Shane is simply directed to direct mail methods with interactive response and personalized web pages. Thus, Shane fails to make up for the deficiencies of Gardner relative to the claimed invention.

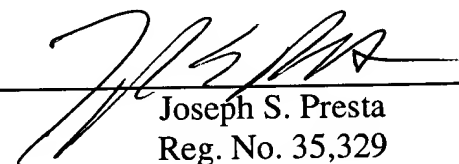
For at least the forgoing reasons, Applicant respectfully submits that the amended claims herein are allowable over the prior art of record. Thus, withdrawal of the rejections and passage of this case to issuance at an early date are earnestly solicited.

FISCHER
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Should the Examiner have any questions, or deem that any further issues need to be addressed prior to allowance, the Examiner is invited to call the undersigned attorney at the phone number below.

Respectfully submitted,

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